

NOV. 7, 2001 1:48PM

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NO. 9935 F. 3  
H. 20

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**Request  
For  
Continued Examination (RCE)  
Transmittal**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	08/963,368
Filing Date	November 3, 1997
First Named Inventor	Nolan
Group Art Unit	1644
Examiner Name	Vander Vegt, F..
Attorney Docket Number	A-64260-2/RMS/AMS

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 9, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination in [Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14265 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_ (Any unsubmitted amendment(s) referred to above will be entered).
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- b.  Enclosed
  - i.  Copy of Petition for Extension of Time (3 mo.)
  - ii.  Copy of Check in the amount of \$420.00
  - iii.  Copy of Amendment and Response
  - iv.  Supplemental Information Disclosure Statement (IDS)
  - v.  PTO-1449 form
  - vi.  Communication

2. Miscellaneous

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 60-1300 (Order no. A-64260-2/RMS/AMS)
  - i.  RCE fee required under 37 C.F.R. § 1.17(e)
  - ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
  - iii. Other any additional fees charged to Deposit Account No. 60-1300 (Order No. A-64260-2/RMS/AMS)
- b.  Check in the amount of \$\_\_\_\_\_
- c.  Payment by credit card (Form PTO-2038 enclosed)

11/23/2001 CRUCKETT 00000006 061300 00963368

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	Robin M. Silva	Registration No. 38,304 (Attorney/Agent)
Signature	<i>Robin M. Silva, Reg. No. 47086, for</i>	Date September 27, 2001

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print Type)	Anne M. Shugrue
Signature	<i>Anne M. Shugrue</i>
Date	September 27, 2001

PATENT  
Attorney Docket No.: A-64260-2/RMS/AMS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of ) Examiner: VANDER VEGT, F  
NOLAN ) Group Art Unit: 1644  
Serial No. 08/963,368 )  
Filed: November 3, 1997 )  
For: METHODS FOR SCREENING )  
FOR TRANSDOMINANT INTRA- )  
CELLULAR EFFECTOR PEPTIDES )  
AND RNA MOLECULES )  
\_\_\_\_\_  
)

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, BOX RCE, Washington, DC 20231 on:

Dated: September 27, 2001  
Signed: Anne M. Slayton  
Anne M. Slayton

COMMUNICATION

Assistant Commissioner  
for Patents  
BOX RCE  
Washington, DC 20231

Sir:

This is to accompany the filing of a response and a Request for Continued Examination. Earlier today, Applicant filed a Response and Amendment, a Petition for a three month extension of time and a check for \$420 to cover the fee for the extension of time. Applicant inadvertently omitted the accompanying Supplemental IDS and Request

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NO. 0935 S. 23

Serial No.: 08/963,368  
Filed: November 3, 1997

for Continued Examination. The present enclosures include the omitted documents, as well as a copy of the Petition and check filed earlier today.

The Commissioner is authorized to charge the required fee for filing a Request for Continued Examination for a small entity and any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-64260-2/RMS/AMS).

Applicant apologizes for any confusion due to the prior omission and respectfully requests acceptance of the enclosed documents.

Respectfully submitted,

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP

 Robin M. Silva

Reg. No. 47,086 for  
Robin M. Silva  
Reg. No. 38,304

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**U.S. PATENT OFFICE ACKNOWLEDGMENT**

FILE NO. A-64260-2/RMS/AMS      APPLICANT(s): NOLAN  
SER. NO.: 08/963,368      FILING DATE: November 3, 1997

TITLE: METHODS FOR SCREENING FOR TRANSDOMINANT INTRA-CELLULAR  
EFFECTOR PEPTIDES AND RNA MOLECULES

Receipt of the following listed documents:

1.  Petition for Extension of Time;
2.  Check in the amount of \$445.
3.  Amendment and Response;
4.  return postcard
- 5.

in the U.S. Patent and Trademark Office on the date stamped hereon is formally acknowledged by imprinting the Patent Office "date stamp" hereon and returning to the addressee on the reverse.

Date of Deposit: September 27, 2001  
Due Date: September 27, 2001

(1063094)



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NO. 3905 F-3

FLEHR HOHBACH TEST ALBRITTON AND HERBERT LLP  
COMMISSIONER OF PATENTS

Invoice Date	Invoice No.
9/27/2001	RMS

Matter ID
64260-002-A

37770

9/27/2001

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Invoice
445.00

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SAN FRANCISCO, CA 94111  
(415) 781-1388

Four Hundred Forty-Five & No/100 Dollars

PAY TO THE ORDER OF	DATE	AMOUNT
FLEHR HOHBACH TEST ALBRITTON AND HERBERT LLP <i>Pete Palau</i>	9/27/2001	445.00

AUTHORIZED SIGNATURES

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

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